

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

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Filed: October 4, 2006

Nos. 05-1211/05-1472

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

DUANE MONTGOMERY,)	
)	
Plaintiff-Appellant,)	
)	
v.)	ON APPEAL FROM THE UNITED
)	STATES DISTRICT COURT FOR THE
CITIBANK, N.A.,)	EASTERN DISTRICT OF MICHIGAN
)	
Defendant-Appellee.)	

Before: MARTIN and DAUGHTREY, Circuit Judges, and REEVES,* District Judge.

PER CURIAM. This litigation began in the bankruptcy court, following attempts by defendant Citibank to foreclose on plaintiff Duane Montgomery's home for non-payment on Montgomery's mortgage note. In defense of the threatened foreclosure, Montgomery filed three law suits in Michigan state court, pursued four appeals to the state appellate court, applied for leave to the state supreme court, filed four bankruptcy petitions, and sought three appeals to the district court. It is the last two of these actions – two decisions by the bankruptcy court and the subsequent affirmances by the district court – that are the subject of the consolidated appeal currently before us. However, the plaintiff has failed to file an appropriate joint appendix in this court, in violation of Sixth Circuit Rule 30. We are,

*The Hon. Danny C. Reeves, United States District Judge for the Eastern District of Kentucky, sitting by designation.

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therefore, authorized to dismiss the appeal pursuant to Rule 30(m), and because it appears that these appeals are simply one more stage of the dilatory litigation described by the district court in its order of May 6, 2005, we elect to do so.

The appeals are DISMISSED and the cases are REMANDED to the district court for further proceedings on the question of sanctions in Civil Action No. 05-CV-70009-BAF-DAS.